TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION

Docket No.

5061.3 P

In re Application of:

Cao

Application No.

10/017,455

Filed:

12132001

For:

Dental Curing Light



any patent granted on the instant application and is binding upon grantee, its successors or assigns.

RECEIVED

JAN 0 8 2004

TECHNOLOGY CENTER R3700

The owner. Cao Group, Inc. interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent g granted on pending second Application Number 10/017,272, filed on 12/13/2001. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during granted on pending second Application Number such period that it and any patent granted on the second application are commonly owned. This agreement runs with

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2, if appropriate.

1.	For submissions or	n behalf of ar	organization	(e.g.,	corporation,	partnership,	university,	government
	agency, etc.), the un	dersigned is er	mpowered to a	ct on b	ehalf of the o	rganization.	,	Ü

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.

2.		The undersigned	is an a	ttorney of record.			
3.	Ow	ner/applicant is		Small entity	\boxtimes	Large entity	
Th	e term	ninal disclaimer fee	under	37 CFR 1.20(d) is		and is to be paid as follows:	
	☐ A check in the amount of the fee is enclosed.						
	The to De	Commissioner is heposit Account Nu	ereby a	outhorized to charge 50-0581	je ar	ny fees which may be required, or credit any overpayment, A duplicate copy of this sheet is enclosed.	
РТО	sugge	ested wording for te	erminal	disclaimer was			
		[7] unchanged		hangad (if ahanga	4 ~-	n avalanation should be supplied.)	

unchanged.

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changed (if changed, an explanation should be supplied.)

01.06/2004 CNGUYEN 00000153 500581

FC:1814

110.00 DA

Signature

Name and Address of Person Signing

Dated:

12/26/2003

Daniel McCarthy Parsons, Behle & Latimer 201 South Main Street, Suite 1800 Salt Lake City, Utah 84111 (801) 532-1234

I certify that this document and fee is being deposited on 12/26/2003 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Signature of Person Mailing Correspondence

Daniel McCarthy

Typed or Printed Name of Person Mailing Correspondence

TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION

Docket No.

5061.3 P

In re Applic		Cao	OIPE	· F	RECEIVED				
Application	No.	10/017,455	<i>'</i>	.)					
Filed:		12132001	DEC 2 9 2003		JAN 0 8 2004				
For: De	ntal Curing	Light §	TRADEMAE UK	TECHN	NOLOGY CENTER R3700				
interest in any patent defined in granted on The owner such perio	The owner, Cao Group, Inc. of 100.00 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent g granted on pending second Application Number 10/016,992, filed on 12/13/2001. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns.								
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.									
Check eith	er box 1 or 2	2, if appropriate	te.						
1.	For subm agency, et	issions on be	ehalf of an orga signed is empowe	inization (e.g., dered to act on be	corporation, partnership, university, chalf of the organization.	, government			
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.									
2.	The under	signed is an a	attorney of record.		•				
3. Ow	ner/applicar	nt is 🔲	Small entity		tity				
The term	ninal disclain	ner fee under	37 CFR 1.20(d) is	s	and is to be paid as follow	ws:			
☐ A ch	eck in the a	mount of the fe	fee is enclosed.						
The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number A duplicate copy of this sheet is enclosed.									
PTO suggested wording for terminal disclaimer was									
☐ unchanged. ☐ changed (if changed, an explanation should be supplied.) /2004 CNGUYEN 00000153 500581 10014435									
110.00 DA Signature Dated: 12/26/2003									
	Name and Ad	ddress of Person Sig	igning	7	I certify that this document and fee is be on 12/26/2003 with the U.S. First class mail under 37 C.F.R. 1.8 and is Assistant Commissioner for Patents, W 20231.	Postal Service as addressed to the			
Daniel McCarthy									
Parsons, Behle & Latimer									
201 South N	201 South Main Street, Suite 1800 Signature of Person Mailing Correspondence								
	City, Utah 84	111			Parial McConthu	Ì			
(801) 532-13	234			1	Daniel McCarthy	Α.			

(801) 532-1234

01/08 03 FQ

Typed or Printed Name of Person Mailing Correspondence

TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION

Docket No. 5061.3 P

In re Application of: Cao RECEIVED 10/017,4,64 Application No. 12132001 Filed: JAN 0 8 2004 **Dental Curing Light** For: TECHNOLOGY CENTER R3700 Cao Group, Inc. interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent g granted on pending second Application Number 10/017,454 , filed on 12/13/2001 . The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns. In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant. Check either box 1 or 2, if appropriate. For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon. 2. The undersigned is an attorney of record. 3. Owner/applicant is □ Large entity ☐ Small entity The terminal disclaimer fee under 37 CFR 1.20(d) is ______ and is to be paid as follows: A check in the amount of the fee is enclosed. ☐ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number ______ 50-0581 ____. A duplicate copy of this sheet is enclosed. PTO suggested wording for terminal disclaimer was ☐ changed (if changed, an explanation should be supplied.) unchanged 01/01/2004 CNGUYEN 00000153 500581 Dated: 12/26/2003 110.00 DA 01 FC:1814 Signature

Name and Address of Person Signing

Daniel McCarthy

Parsons, Behle & Latimer

201 South Main Street, Suite 1800

Salt Lake City, Utah 84111

(801) 532-1234

I certify that this document and fee is being deposited on 12/26/2003 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Signature of Person Mailing Correspondence

Daniel McCarthy

Typed or Printed Name of Person Mailing Correspondence

1	Terminal Disclaimer To Obviate A Double Patenting Rejection Over As Prior Patent Docket No. 5061.3 P							
	In Re Application Of: C	Cao (DE 29 2013)	OFFICE V.	<i>\F</i> :				
•	Serial No.	Filing Date TRANS	Examiner	Group Art Unit				
	10/017,455	12/13/2001	Lewis	3732				
)	Invention: Dental Curi							
v	Owner of Record: Coo Crown Inc.							
	Owner of Record: Cao	Group, Inc.	TECHNO	TECHNOLOGY CENTER R3700				
		TO THE ASSISTANT COM	MMISSIONER FOR PATENTS:					
	The above-identified owner of record of a 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,331,111. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors and/or assigns. In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.							
	1. For submissions of	Check either box 1 or 2 below, if appropriate. 1. For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.						
	I hereby declare that all statements made herein of my own knowledge are true and that all statements made or information and belief are believed to be true; and further that these statements were made with the knowledge that willful fals statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the Unite States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.							
<u>ላ</u> 1 /ስዩ	2. The undersigned is 1/2004 CNGUYEN 00000153 5005	s an attorney of record.						
	:1814 110.00 DA	1	Dated: 12/26/2003					
VEIL		Signature						
		iel McCarthy		Ø.				
i		or Printed Name er fee under 37 C.F.R. 1.20(d) include	ed					
	PTO suggested wording for terminal disclaimer was unchanged. Certification under 37 C.F.R. 3.73(b) is required if terminal disclaimer is signed by the assignee.							
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